

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

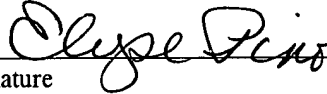
Applicant: Stephen C. Rowe et al.  
Serial No: Not yet assigned  
Confirmation No: Not yet assigned  
Filed: Herewith  
For: APPARATUS AND METHOD FOR LOCAL  
APPLICATION OF POLYMERIC MATERIAL TO TISSUE

Examiner: Not yet assigned  
Art Unit: Not yet assigned

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17<sup>th</sup> day of September, 2003.

  
Signature

---

**Mail Stop Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d) and before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Serial No.: Not yet assigned  
Conf. No.: Not yet assigned

- 2 -

Art Unit: Not yet assigned

PART II: Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: Not yet assigned  
Conf. No.: Not yet assigned

- 3 -

Art Unit: Not yet assigned

An early and favorable action is hereby requested.

Respectfully submitted,  
*Stephen C. Rowe et al., Applicants*

By: 

Timothy J. Oyer, Ph.D., Reg. No. 36,628  
Tani Chen, Sc.D., Reg No. 52,728  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. F0397.70070US00  
Date: September 17, 2003  
**XNDDX**

<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: Not yet assigned		ATTY. DOCKET NO.: F0397.70070US00	
				FILING DATE: Herewith		CONFIRMATION NO.: Not yet assigned	
				APPLICANT: Stephen C. Rowe, et al.			
				GROUP ART UNIT: Not yet assigned		EXAMINER: Not yet assigned	
Sheet	1	of	2				

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	1*	3,238,941		Klein et al.	03-1966
	2*	6,004,547		Rowe et al.	12-21-1999
	3*	2,170,599		Stricklen	08-22-1939
	4*	2,518,486		Mende	08-15-1950
	5*	3,238,941		Klein et al.	03-08-1966
	6*	3,415,419		Jewett et al.	12-10-1968
	7*	3,675,651		Meyer	07-11-1972
	8*	3,707,146		Cook et al.	12-26-1972
	9*	3,880,158		Gurney	04-29-1975
	10*	3,987,000		Gleichenhagen et al.	10-19-1976
	11*	4,023,559		Gaskell	05-17-1977
	12*	4,346,108		Singer	08-24-1982
	13*	4,385,344		Gonser	05-24-1983
	14*	4,588,395		Lemelson	05-13-1986
	15*	4,668,226		Omata et al	05-26-1987
	16*	4,702,917		Schindler	10-27-1987
	17*	4,846,165		Hare et al.	07-11-1989
	18*	4,878,492		Sinofsky et al.	11-07-1989
	19*	4,911,926		Henry et al.	03-27-1990
	20*	4,938,763		Dunn et al.	07-03-1990
	21*	4,969,912		Kelman et al.	11-13-1990
	22*	4,994,277		Hingham et al.	02-19-1991
	23*	5,009,655		Daignault, Jr. et al.	04-23-1991
	24*	5,080,893		Goldberg et al.	01-14-1992
	25*	5,092,841		Spears	03-03-1992
	26*	5,100,429		Sinofsky et al.	03-31-1992
	27*	5,147,203		Seidenberg	09-15-1992
	28*	5,156,613		Sawyer	10-20-1992
	29*	5,199,951		Spears	04-06-1993
	30*	5,207,670		Sinofsky	05-04-1993
	31*	5,209,776		L.S. Bass et al.	05-11-1993
	32*	5,222,939		Tiefenbrun et al.	06-29-1993
	33*	5,226,430		Spears et al.	07-13-1993

Serial No.: Not yet assigned  
 Conf. No.: Not yet assigned

Page 2 of 2  
 Art Unit: Not yet assigned

	34*	5,312,333		Churinetz et al.	05-17-1994
	35*	5,324,519		Dunn et al.	06-28-1994
	36*	5,372,585		Tiefenbrun et al.	12-13-1994
	37*	5,410,016		Hubbell et al.	04-25-1995
	38*	5,575,815		Slepian et al.	11-19-1996
	39*	5,612,050		Rowe et al.	03-18-1997
	40*	5,698,189		Rowe et al.	12-16-1997
	41*	6,004,547		Rowe et al.	12-21-1999
	42*	6,468,520	B1	Rowe et al.	10-22-2002

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	43*	EP	0183372		Raychem Corp.	06-04-1986	
	44*	WO	90/01969		Slepian et al.	03-08-1990	
	45*	WO	91/17731		Wayne State Univeristy	11-28-1991	
	46*	WO	93/16687		Board of Regents, The University of Texas System	09-02-1993	
	47*	WO	93/17669		Board of Regents, The University of Texas System	09-16-1993	-
	48*	WO	94/21324		Focal, Inc.	09-29-1994	-

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/215,390, filed 08/08/02, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).